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be capable of classification either; (a) as conduct and statements together constituting (not evidencing) a fact in issue and so of course admissible, as for example in the case of adverse possession (§ 1778), (b) as conduct and statements together used evidentially but for a purpose which makes the credit of the declarant immaterial and thus as circumstantial evidence, as for example § 1779, (c) as declarations of a mental condition (usually intent) as for example declarations by a bankrupt as to his intent on leaving home (§ 1783) or declarations as to intent concerning domicile (§ 1784). The first class above is simply a variety of declarations in issue (§ 1770): the second class is a variety of declarations used circumstantially (§ 1788 et seq.): the third class merely includes examples of the Mental Condition exception to the Hearsay rule (§ 1725 et seq.). To throw them together as if depending on some common principle is likely to lead to confusion and misunderstanding. If merit counts, Wigmore on Evidence is destined to become the great reference work on Evidence. One therefore regrets that any imperfections are present. Indeed, some may consider the above criticisms unsound. However that may be, it must be remembered that the errors, if any, are but few in a work of really gigantic proportions.

THE LAW OF FOREIGN CORPORATIONS. Joseph H. Beale, Jr. Boston: William J. Nagel. 1904. pp. xxvi, 1149.

The title of this work is misleading and does not cover the subjects treated by the author. Dealing as it does with the organization of corporations and those points usually connected therewith, which often influence the choice of the State in which a given corporation is to be organized, it might more properly be known as "Beale on the Formation, Control and Taxation of Corporations." There has evidently been a demand for a work of this character, for the present book is but one of several similar treatises which have appeared lately. As a handy reference work to determine the proper State within which to organize and to get general ideas upon the subjects treated, the present work is of value. However, like all similar works, it is open to the grave objection that selections only from the laws of the several States are given, and the lawyer using it must always be subject to the fear that there may be some obscure modifying statute in existence not referred to. Again, dealing as it does with statutory enactments concerning a subject which is being changed more continuously than any other, the work is almost out of date before it is printed and very rapidly loses the value it has. For example, the present work published in 1904 does not contain several important amendments to the New York law concerning foreign corporations passed in 1904, and an officer of a foreign trust company (for example) desiring to do business in New York would obtain no idea of the difficulties in his way from a perusal of this work.

Subject to this objection, the work has many good features. The author's statutory references seem very accurate, and there are many chapters in the work of permanent value. The chapters dealing with questions of taxation will prove to be of high practical importance,

and alone will more than compensate anyone for the purchase of the work. It is to be hoped that in the future the author will amplify this part of the work and publish it separately.

The publisher has done his part of the work excellently, on the whole. However, where many cases are cited on a given proposition (as on page 342), it might be helpful to the reader if the cases cited from the different States were printed in separate groups, indicated by spacing, or in some other way.

Mr. Beale's statement on p. 442 that a meeting for organization cannot probably be held outside of the parent State, even where it is expressly permitted by statute, may well cause an uneasy feeling to those connected with West Virginia corporations, but fortunately for them, he cites no authority in support of this statement. A similar tendency to make somewhat too general a statement is shown on pp. 443-5, where, in the text, at least, it seems assumed that in the absence of prohibition, directors can meet anywhere. As an academic proposition, Mr. BEALE's position is hardly open to doubt, but, as there are cases to the contrary, a careful corporation lawyer cannot run the risk of allowing his directors to meet out of the State, unless expressly authorized by statute or a decision in his own State.

Subject to commendation, as a careful copy of a statute is, it sometimes leads to peculiar results when previous qualifying passages are omitted, and in his present work, as a result of this, Prof. BEALE has given to that soulless entity of the text-book writers—a corporation—a compensating feature. Soulless it may continue to be! But never in the future can we say that it is not open to the tender passions and possessed of a seat for those passions—a heart! For how otherwise can the following be explained: "A warrant of attachment against the property of a foreign corporation may be granted where the action is for breach of contract, express or implied (*other than a contract to marry*)"? (P. 269.)

AN EXPOSITION OF THE CONSTITUTION OF THE UNITED STATES.
Henry Flanders. Fifth edition, revised and enlarged. Philadelphia:
T. & J. W. Johnson & Co. 1904. pp. xii, 326.

The author of this admirable little book had a three-fold purpose in mind, namely, "to supply a convenient manual of instruction to the youth of our country; to make clear and intelligible to the unprofessional reader the fundamental law of our federative system of government; and at the same time to produce a work which might also be useful to the bar."

In at least two of these purposes the author has produced an eminently successful piece of work, for youth and unprofessional reader will find in this little book the principles of the constitution clearly, concisely and accurately expounded in a style at once as scholarly as it is readable.

But is hard to see how it can be of service to the bar unless it be to give at glance the principle for which authority must be sought for elsewhere. The reason of the thing the lawyer would indeed find in the turning of a page, for Mr. Flanders has "sought to set forth the reasons upon which each clause of the constitution rests, as well as